

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In Re Ex Parte Application of Porsche Automobil
Holding SE for an Order Pursuant to 28 U.S.C.
§ 1782 Granting Leave to Obtain Discovery for
Use in Foreign Proceedings.

Case No. 15 MISC 0417

December 23, 2015

DECLARATION OF ROBERT J. GIUFFRA, JR.

ROBERT J. GIUFFRA, JR. hereby declares under penalty of perjury as follows:

1. I am admitted to practice in the United States District Court for the Southern District of New York and am a member of the law firm Sullivan & Cromwell LLP, counsel to Porsche Automobil Holding SE (“PSE” or “Petitioner”) in the above-captioned action. I submit this Declaration in support of PSE’s *Ex Parte* Application for an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery for Use in Foreign Proceedings.

2. Attached hereto are true and correct copies of the following:

Chart setting forth the entities from whom discovery is sought in PSE’s § 1782 application (“Respondents”); their relationship to certain plaintiffs in <i>Effecten-Spiegel v. PSE</i> , No. O 175/15, a civil suit now pending before the German Regional Court of Hanover (the “German Action”); and their business addresses.	Exhibit A
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Proposed subpoena, to be served in substantially the same form on each Respondent, for the production of documents related to PSE’s statute-of-limitations defense in the German Action.	Exhibit B
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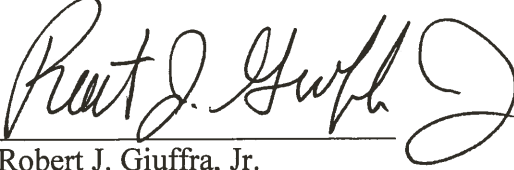
Proposed subpoena, to be served in substantially the same form on each Respondent, for deposition testimony related to PSE’s statute-of-limitations defense in the German Action.	Exhibit C
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PSE January 1 – November 9, 2015 Interim Report (Excerpt).	Exhibit D
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Porsche Automobil Holding SE—History, http://www.porsche-se.com/pho/en/porschese/history/ , last visited Dec. 2, 2015.	Exhibit E
PSE 2014 Annual Report (Excerpt).	Exhibit F
PSE Press Release, <i>Porsche Seeks to Acquire Share in Volkswagen; Acquisition of Stock to Secure Porsche's Business Operations</i> , dated Sept. 25, 2005.	Exhibit G
PSE Press Release, <i>Porsche Supervisory Board approves increase of stake in Volkswagen — Company to become a European stock corporation; Response to the challenges of the International automobile market</i> , dated Mar. 24, 2007.	Exhibit H
PSE Press Release, <i>Porsche heads for domination agreement</i> , dated Oct. 26, 2008.	Exhibit I
Interview with Mr. Holger P. Härter, former Chief Financial Officer of PSE, <i>Porsche is absolutely undervalued</i> , Frankfurter Allgemeine Zeitung (Translation), dated July 29, 2008.	Exhibit J
PSE Press Release, <i>Porsche Supervisory Board gives Go-ahead for Majority Stake in VW</i> , dated Mar. 3, 2008.	Exhibit K
PSE Press Release, <i>Porsche denies speculations about increasing its stake in VW to 75 percent</i> , dated Mar. 10, 2008.	Exhibit L
Interview With Mr. Wendelin Wiedeking, former President and Chief Executive Officer of PSE, <i>I stand in front with My Eyes Open</i> , Frankfurter Allgemeine Sonntagszeitung (Translation), dated Oct. 5, 2008.	Exhibit M
<i>Porsche keeps option for domination of VW</i> , Reuters, dated Oct. 2, 2008.	Exhibit N
Tremblant-Trident Partners LP, Notice of Sale of Securities (Form D), dated Oct. 23, 2006.	Exhibit O
Tremblant-Trident Partners Ltd., Notice of Sale of Securities (Form D), dated Sept. 13, 2007.	Exhibit P
Firefly Value Partners, LP Form ADV, dated Mar. 31, 2015.	Exhibit Q
Marble Arch Investments, LP Form ADV, dated Mar. 9, 2015.	Exhibit R
Marble Arch Investments, LP Form 13F, dated Aug. 14, 2015.	Exhibit S

Tremblant Capital Group Form ADV, dated Oct. 16, 2015.	Exhibit T
Thomson Financial Overview for Tremblant Capital Group, dated Dec. 31, 2014.	Exhibit U
Mike Esterl and Edward Taylor, <i>As Giant Rivals Stall, Porsche Engineers a Financial Windfall</i> , Wall St. J., dated Nov. 8, 2008.	Exhibit V
Floyd Norris, <i>Porsche reinvents the short squeeze</i> , N.Y. Times, dated Oct. 30, 2008.	Exhibit W
Zachery Kouwe, <i>Hedge Funds Sue Porsche for Billion Lost on VW</i> , N.Y. Times, dated Jan. 25, 2010.	Exhibit X
Frank Dohmen & Dietmar Hawranek, <i>Turning the Car Business Into a Casino</i> , Spiegel Online International, dated Nov. 24, 2010.	Exhibit Y
Submission from TISAB Rechtsanwaltsgesellschaft mbH to the Braunschweig Regional Court (Excerpt), submitted March 2, 2015.	Exhibit Z
Proposed order authorizing service of subpoenas for production of documents and deposition testimony.	Exhibit AA
Declaration of Dr. Markus Meier in Support of <i>Ex Parte</i> Application of Porsche Automobil Holding SE for an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery for Use in Foreign Proceedings.	Exhibit AB

Executed on December 23, 2015 in New York, New York.


Robert J. Giuffra, Jr.